

FORM PTO-1390(Modified) (REV11-98)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>(H)99GU1341USP</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) <b>09/762347</b>	
INTERNATIONAL APPLICATION NO. <b>PCT/DE99/02371</b>	INTERNATIONAL FILING DATE <b>04 August 1999</b>	PRIORITY DATE CLAIMED <b>04 August 1998</b>		
TITLE OF INVENTION <b>Process for Producing a Biological Substance, Substance of this type and its use</b>				
APPLICANT(S) FOR DO/EO/US				
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> <li>8. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>10. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 13 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail</li> <li>20. <input checked="" type="checkbox"/> Other items or information:</li> </ol> <p><b>General Authorization to charge fees</b>  <b>Credit Card Payment Form PTO-2038 in the amount of filing fee</b></p>				

U.S. APPLICATION NO. (IF KNOWN) 09762347 (7 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/DE99/02371

JC02 R PCT/PTO 05 FEB 2001

ATTORNEY'S DOCKET NUMBER  
(H)99GU1341USP

21. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....	\$970.00
<input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....	\$840.00
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....	\$690.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....	\$670.00
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) .....	\$96.00

**CALCULATIONS PTO USE ONLY****ENTER APPROPRIATE BASIC FEE AMOUNT =**Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).  20  30

\$840.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	16 - 20 =	0	x \$18.00	\$0.00
Independent claims	2 - 3 =	0	x \$78.00	\$0.00
Multiple Dependent Claims (check if applicable) .			<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$840.00</b>
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable) .				<input type="checkbox"/> \$0.00
<b>SUBTOTAL =</b>				<b>\$840.00</b>
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).				<input type="checkbox"/> 20 <input type="checkbox"/> 30 + \$0.00
<b>TOTAL NATIONAL FEE =</b>				<b>\$840.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/> \$0.00
<b>TOTAL FEES ENCLOSED =</b>				<b>\$840.00</b>
				<b>Amount to be: refunded \$ charged \$</b>

 CREDIT CARD PAYMENT FORM PTO IN AMOUNT \$840.00

to cover the above fees is enclosed.

 Please charge my Deposit Account No. A duplicate copy of this sheet is enclosed.

in the amount of

to cover the above fees.

 The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 11-0665 A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

M. Robert Kestenbaum  
 11011 Bermuda Dunes NE  
 Albuquerque, NM USA 87111  
 Phone 505-323-0771  
 Facsimile 505-323-0865

SIGNATURE

M. Robert Kestenbaum

NAME

20,430

REGISTRATION NUMBER

February 5, 2001

DATE

09/762347

JC02 Rec'd PCT/PTO 05 FEB 2001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: PCT Application PCT/DE99/02371  
Filed August 4, 1999  
Title PROCESS FOR PRODUCING A BIOLOGICAL SUBSTANCES,  
SUBSTANCE OF THIS TYPE AND ITS USE  
Attorney Docket (H)99GU1341USP

Box PCT  
Commissioner for Patents  
Washington, DC 20231

**General Authorization to Charge Fees**

Dear Sir or Madam:

In accordance with Rule 1.136 (a) (3), please charge additional required fees which come due with respect to this application, including extension fees, and credit any overpayments to Deposit Account 11-0665.

Also, please provide extensions of time as required for timely receipt of concurrent or future correspondence and other documents submitted in this application and charge the appropriate extension fees to Deposit Account 11-0665

Respectfully submitted,



M. Robert Kestenbaum  
Reg. No. 20,430  
11011 Bermuda Dunes NE  
Albuquerque, New Mexico 87111  
Phone (505) 323-0771  
Fax (505) 323-0865

09/762347

0002 Rec'd PCT/PTO 05 FEB 2001

Docket No.

(H)99GU1341USP

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s):

Serial No.

PCT/DE99/02371

Filing Date

04/08/1999

Examiner

Group Art Unit

Invention: **Process for Producing a Biological Substance, Substance of this type and its use**

I hereby certify that the following correspondence:

**PCT Application entering the National Stage***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

February 5, 2001*(Date)***M. Robert Kestenbaum***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EK529531644US***("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.